



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas Joseph Pecorini et al.

Serial No.: 10/050,680

Filed: January 15, 2002

For: COLOR CONCENTRATES FOR POLYESTERS

Attorney Docket No.: EACC 0118 PUSP

Group Art Unit: 1714

Examiner: Callie E. Shosho

REPLY BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
U.S. Patent & Trademark Office
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Sir:

This Reply Brief is in response to the Examiner's Answer mailed on September 8, 2006 for the above-identified patent application.

The Examiner continues to treat the presence of water in the polyester compositions of the present invention as somehow unusual as compared to other ingredients in a composition. The amount of water is a composition as any ingredient in a composition may take any value between 0 to 100 percent. Therefore, the amount of moisture cannot be viewed as an inherent property. The Examiner states that Applicants do not provide evidence that the amount of water can be adjusted. Applicants respectfully assert that it is obvious that

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water can simply be added to the composition.

Regarding claim 16, the Applicant acknowledges that claim 16 is cancelled. Regarding claim 23, the argument for the rejections of claims 4-5, 7, 9, 14-15 under 35 U.S.C. § 103(a) over EP 370424 applies to claim 23. Specifically, claim 23 depends from claim 21 which is shown in the Appeal Brief to be allowable. A corrected Appeal Brief is filed herewith also addressing the Notification of Non-Compliant Appeal Brief sent October 2, 2006.

Respectfully submitted,

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